



City of Walnut Creek
Development Review Services
 1666 N. Main Street, Walnut Creek, CA 94596
 (925) 943-5834 phone (925) 256-3500 fax

Revised 09/28/2018

Information Bulletin No. IB-027

Procedure and Submittal Requirements for Changing Contractors on an Issued Permit

Item	SCENARIO 1	SCENARIO 2	SCENARIO 3
<p><u>Scenario Description</u></p>	<p>In this scenario the owner has taken out the permit as owner-builder and wishes to use a contractor for the work under the current permit.</p> <p>In this case the owner may designate any contractor to perform the work. The new contractor only needs to provide evidence of Workers Compensation Insurance and a City Business License.</p>	<p>In this scenario, a contractor has taken out the permit and is willing to provide a written release of the permit to a different contractor.</p> <p>In this case full cooperation is being provided to transfer the permit to the new contractor. The new contractor will come into the office and sign the documents pertaining to the permit.</p>	<p>In this scenario, a contractor has taken out the original permit, but will not provide a written release to a new contractor and is generally not cooperative about releasing the field drawings, inspection card, waste management documents, etc., to allow the new contractor to easily continue.</p> <p>In this case, a separate permit must be taken out by the new contractor.</p> <p>Note that the existing permit is not altered and will go through the normal expiration and cancellation phases.</p> <p>[Note: The original permit may be finalized for the work completed and inspected if and only if a new permit is taken out to complete the project as originally approved and provided the original permit satisfactorily addresses waste management issues, special inspection issues, and deferred submittals and fees issues either directly or by way of the new permit. There may be further inspection related fees assessed if additional inspections are needed upon request at final inspection.]</p>
<p><u>Preconstruction Meeting</u></p>	<p>None.</p>	<p>Who - A meeting will be scheduled by the building division staff member who first discusses with the applicant their desire to finish the work using a different contractor. The following individuals should be in attendance: City inspector who has performed the most recent inspections, the contractor, the property owner, the architect or engineer, and the original plan checker.</p> <p>Why – Before work continues under the permit, to establish a clear scope of work for the remaining work to be completed, to have contractor review and agree to the applicable special inspection program requirements of the project, to discuss and address the waste management issues on the project, to address deferred submittal items, to discuss deferred fees associated with the original permit and when payments will be due.</p> <p>When –The meeting should be held as close to 8:30AM as possible, before the inspector leaves the office to go to the field.</p> <p>Where – Meetings will be held at the City Hall.</p>	<p>Who - A meeting will be scheduled by the building division staff member who takes in the application or first discusses with the applicant their desire to finish the work. The following individuals should be in attendance: City inspector who has performed the most recent inspections, the contractor, the property owner, the architect or engineer, and the original plan checker.</p> <p>Why – Before issuing the permit, to establish a clear scope of work for the remaining work to be completed, to establish the valuation of work associated with the remaining work to be completed, to have contractor review and agree to the applicable special inspection program requirements on the project, to discuss and address the waste management issues on the project, to address deferred submittal items, to discuss deferred fees associated with the original permit and when payments will be due.</p> <p>When –The meeting should be held as close to 8:30AM as possible, before the inspector leaves the office to go to the field.</p> <p>Where – Meetings will be held at the City Hall.</p>

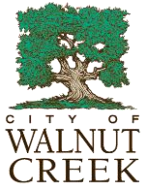


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<u>Description of Work</u>	Remains the same.	Remains the same.	Description of work should state "To final work completed and inspected under permit XXXXXXXX and to....." See Plans/Specifications section for additional information related to the scope of work.
<u>Legal Declarations</u>	Not required for the new contractor working under the existing owner-builder permit.	New contractor must complete and sign a new legal declaration on the existing permit. The letter transferring the permit is to be attached to the legal declaration.	Since a completely new permit is being issued, the normal legal declarations need to be completed, too.
<u>Valuation</u>	Remains the same.	Remains the same.	The valuation of the permit should be the valuation of the remaining work to be completed.
<u>Fees</u>	Remains the same. No new fees assessed.	Remains the same. No new fees assessed.	The usual permit fees will apply, based upon the valuation of the permit.
<u>Reference or Support Documents</u>	None required.	None required.	*****One copy of field inspection card showing inspection signatures. The field set of all previously approved plans and supporting documents, if available. These are submitted by the applicant and used by City to facilitate plan review and preparation of permit application prior to continuing work or issuing a new permit, as indicated.



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<p>Plans/Specific actions: Documents to be submitted to City by Applicant.</p>	<p>May use original field approved plans.</p>	<p>May use original field set of approved plans.</p>	<p>May use original field set of approved plans.</p> <p>If the original field set of documents is not available, then the contractor will need to provide a replacement set of all documents to the city so the city can transfer redlined comments from the office set to the field set and obtain the necessary city approvals on the replacement set.</p> <p>**Where a significant amount of work is remaining to be completed <u>and</u> inspected (as determined by the building official), there are two optional ways to approach this:</p> <ol style="list-style-type: none"> 1. Submitting three sets of revised plans.**** The original plans must be revised to distinguish between work legally completed and inspected under the cancelled permit and work to be completed under the new permit. 2. Submitting three sets of the original plans**** along with two copies of a detailed description (on a sheet-by-sheet basis) of what work was legally constructed <u>and</u> inspected under the original permit and what work will be completed under the new permit. <p>Where the remaining work <u>and</u> inspections are minor (as determined by the building official) and such work can be summarized in a written list without plans, then a written list may form the basis for issuing the permit to complete the work.****</p> <p>The more critical item is the field set, because this is what final inspections need to be based upon. If the applicant still has the field set then that set may be used to perform the final inspections. Ideally, the original field set will be used to complete the final inspections. If the original field set is available, it may be used to complete the administrative elements*</p> <p>Where the applicant does not have access to the original field set, the plan checker may select appropriate copies from microfilm records sufficient to complete the final inspections. The applicant will be charged for copies produced, so discuss this option with the applicant first. Applicant may elect to submit a new set for field inspections. The plan checker will determine what drawings need to be included in the field set to be issued with the new permit.</p>
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<u>Impact of Code Changes</u>	None.	None.	Designers must incorporate all building code changes into those areas of work that have not had city inspections yet. All areas legally installed and inspected under the original permit may remain under the code editions associated with the original permit. All remaining work and inspections must be performed under the codes adopted at the time the new application is made.
<u>Internal Approvals</u>	Existing permit contains all internal approvals necessary. No additional approvals required.	Existing permit contains all internal approvals necessary. No additional approvals required.	<p>If code changes result in changes that affect other divisions, then approval by those divisions will be necessary. Except for simple projects (over the counter), the original plan checkers will review and approve the permit application.</p> <p>The plans, cancelled permit Inspection card, PERMITS Plus inspection items listing for cancelled permit, and a listing of the requests for inspection will be routed by the plan checker to the original building inspector. The building inspector will identify what remaining inspections would most likely have been required for the project by highlighter or other means on the PERMITS Plus inspection items listing. This will help to define the remaining work to be done.</p>



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<u>Outside Approvals***</u>	No additional approvals necessary.	No additional approvals necessary.	Unless the plans must be modified to address current code issues and effect external organizations, no additional approvals will be necessary.
<u>Waste Management</u>	New contractor can continue to operate under the current waste management plan and will need to provide the final waste management report, as usual, at the end of the project.	New contractor can continue to operate under the current waste management plan and will need to provide the final waste management report, as usual, at the end of the project.	If waste management documentation associated with the original permit is not provided to the new contractor, then the owner of the property must pay a fine based upon the difference in valuation between the original permit valuation and the new permit valuation, subject to the minimum fine of \$1,000.
<u>Deferred Fees</u>	Same as the original permit.	Same as the original permit.	Any fees that were deferred under the original permit shall be also deferred under the new permit and the due date shall be maintained. This includes Traffic Mitigation Fees, Public Arts Fees, etc. Any deferred fee that has a due date preceding the date of issuance of the new permit shall be paid prior to issuing the new permit.
<u>Special Inspection</u>	New contractor must review and sign the existing special inspection program.	New contractor must review and sign the existing special inspection program.	New contractor must review and sign the existing special inspection program. The special inspection program should be discussed in the required preconstruction meeting. The current status of In progress reports and final reports should be discussed during the meeting. Final Special Inspection report associated with canceled permit must be provided prior to final. A new Special Inspection Program may be necessary due to possible contractual changes that may have taken place between original parties. This is needed to ensure that special inspections will be completed for the remaining work, as required by code. This should be discussed and resolved during the meeting.

Notes:

- ** The permit documents must clearly distinguish between work legally completed and inspected under the original permit and work to be completed under the new permit. This is especially important when a new contractor will be used to complete the project. If code changes took place, then the plans must address the code changes, but only for the scope of work to be completed and inspected, as determined by the Building Official.
- *** Outside Approvals include those required from Fire Department, Health Department, Sanitary District, School District, Bay Area Air Quality Management District
- **** If the plans were not prepared by an architect or engineer, the applicant may make legible copies of the field set for permitting purposes. If the plans were prepared by an architect or engineer, then replacement plans must be provided by the respective designers and signed and stamped. Revisions to plans that were prepared by an architect or engineer shall be by the architect or engineer. The revised plans shall be signed and stamped by the respective designer.
- ***** To gain an understanding of what work has taken place, the inspection history can be deciphered from the field inspection card and/or the city inspection screen. Also, if the inspector is still with the city, that inspector may remember the last inspections to be made and the state of the work to help clarify where things were left off.